

**REMARKS/ARGUMENTS**

Claims 1-25 are pending in the application.

Applicant has reviewed the Restriction Requirement laid out in the Office Action. Applicant respectfully traverses because the grounds cited by the Office Action are not relevant to the present application. The Examiner notes that 23 claims are pending wherein the National Stage application was filed with 25 claims. There is no correspondence between the Office Action and Applicant's case.

Applicant's "*present invention relates to measuring misalignment of stitched masks in a semiconductor manufacturing process and more specifically relates to a sensitivity enhanced matched offset dependent resistor structure for electrically measuring unidirectional misalignment of stitched masks for etched interconnect layers.* (Specification, page 1, lines 5-10)."

The Office Action's Restriction *directs Species I: Claims 1-19 drawn to a method of forming a silicon oxide; and Species II: Claims 20-23, drawn to a method of forming isolation structure. . .*" do not appear to apply to Applicant's claims. Review of the present application indicates that there is no discussion of forming silicon oxide or isolation structures. Applicant respectfully asserts that the Office Action has not met the requirements of MPEP §803.

Consequently, Applicant cannot properly ascertain his approach to addressing the issues raised in the office action, since the issues raised appear to be applicable to another technology or another application on the Examiner's docket.

Applicant requests that this erroneous Restriction Requirement be withdrawn and proceed with examination of the case with all 25 claims so as to expedite prosecution.

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 50-4019.

Respectfully submitted,

Date: 17-APR-2008

By /Peter Zawilski/  
Peter Zawilski, Reg. No. 43,305  
(408) 474-9063

Correspondence Address:

NXP, B.V.  
**NXP Intellectual Property Department**  
1109 McKay Drive; Mail Stop SJ41  
San Jose, CA 95131 USA

CUSTOMER NO. 65913